

ARTICLE 1**TITLE, PURPOSE, SCOPE****§ 1.01. SHORT TITLE.**

This ordinance shall be known as "The Land Use Ordinance of the Town of Westfield".

§ 1.02. PURPOSE.

It is the intent and purpose of this ordinance:

- A. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- B. To secure safety from fire, flood, panic and other natural and man-made disasters;
- C. To provide adequate light, air and open space;
- D. To ensure that the development of the Town of Westfield does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- E. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- F. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- G. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- H. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- I. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;

- J. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the Town of Westfield and to prevent urban sprawl and degradation of the environment through improper use of land;
- K. To encourage planned residential developments which incorporate the best features of design and relate the type, design and layout of residential and recreational development to the particular site;
- L. To encourage senior citizen community housing construction;
- M. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- N. To promote utilization of renewable energy sources; and
- O. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

§ 1.03. SCOPE.

The provisions and requirements of this ordinance shall be held paramount to any corresponding or similar, but less restrictive provisions and requirements of any existing law, ordinance rule, regulation, deed, restriction or private covenant affecting lands and premises in the Town of Westfield; provided, the Town of Westfield as an entity shall be exempt from all provisions of this ordinance unless otherwise provided herein or as may be required by state law.

§ 1.04. SEVERABILITY.

In the event that any section, part, or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as whole, or any part thereof other than the part so held unconstitutional or invalid.

§ 1.05. REPEALER.

All ordinances or parts of ordinances in conflict or inconsistent with any part of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or inconsistent, including the current Land Use Ordinance and appendices thereto.

§ 1.06. EFFECTIVE DATE.

This ordinance shall take effect after passage and publication, as soon as, and in the manner permitted by law.